

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Commodity Futures Trading Commission,

Plaintiff,

v.

Bayou Management LLC, Samuel Israel
III, Daniel Marino, and Richmond-Fairfield
Associates CPA PLLC,

Defendants.

05 CV. 8374

Case No. _____

**MOTION TO ADMIT COUNSEL PRO
HAC VICE**

Upon the annexed affidavit of movant in support of this motion and the Certificate of Good Standing annexed thereto, the movant moves this Court, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of movant, an employee of the Plaintiff, Commodity Futures Trading Commission, and a member in good standing of the Bar of the State of Maryland as attorney pro hac vice to argue or try this case in whole or in part as counsel. There are no pending disciplinary proceedings against me in any State or Federal court.

Dated: 9/29/05

Joseph Rosenberg (JR 5225)
Local Counsel
Commodity Futures Trading Commission
140 Broadway
New York, New York 10005
646-746-9765

Respectfully submitted,

Eugene Smith
Eugene Smith (ES 2817)
US Commodity Futures Trading
Commission
Division Of Enforcement
1155 21st Street, N.W.
Washington, D.C. 20581
esmithl@cftc.gov
(202) 418-5371

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AFFIDAVIT OF EUGENE SMITH IN
SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE

District of Columbia) ss: 093-58-6041

EUGENE SMITH, being duly sworn, hereby deposes and says as follows:

1. I am an employee of the Plaintiff, Commodity Futures Trading Commission.
2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto I am a member in good standing of the Bar of the State of Maryland.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. Wherefore your affiant respectfully submits that he be permitted to appear as counsel

and advocate pro hac vice in this one case.

Dated: 9/29/05

Eugene Smith
Eugene Smith (ES 2817)
US Commodity Futures Trading
Commission
Division Of Enforcement
1155 21st Street, N.W.
Washington, D.C. 20581
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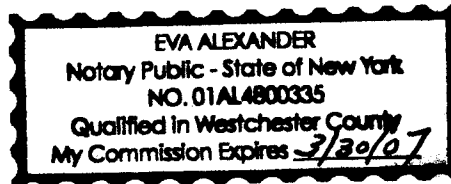
Subscribed and sworn to before me this 29 day of September, 2005.

Eva Alexander

Name:

Title: Notary Public

My Commission Expires: 3/30/07



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ADMISSION TO PRACTICE
PRO HAC VICE

The motion for admission to practice *pro hac vice* in the above captioned matter is granted. The admitted attorney Eugene Smith is permitted to argue or try this particular case in whole or in part as counsel or advocate.

The \$25.00 attorney admission fee shall be waived because Eugene Smith is an employee of and representing the Plaintiff, a United States government agency.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated: September __, 2005

United States District Judge

cc: pro hac vice Attorney
Court File

**Court of Appeals
of Maryland**
Annapolis, MD



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Alexander L. Cummings, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the 21st day of June, 2000 ,*

EUGENE SMITH

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

In Testimony Whereof, *I have hereunto set
my hand as Clerk, and affixed the Seal of the
Court of Appeals of Maryland, this 8th
day of September, 2005.*

Alexander L. Cummings

Clerk of the Court of Appeals of Maryland